## ORIGINAL

SEP 2 7 2012

STROT COURT

JOC
CATHERINE CORTEZ MASTO
Attorney General
By: ADAM L. WOODRUM
Deputy Attorney General
Nevada Bar Number 10284
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Attorneys for Plaintiff, State of Nevada

DISTRICT COURT
CLARK COUNTY, NEVADA



THE STATE OF NEVADA,

Plaintiff,

VS.

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Attorney General's Office 555 E. Washington, Suite 3900 Las Vegas, NV 89101

TIMOTHY SHELBURN, #2645690 DBA Be Cool, Inc., a Nevada corporation

Defendant.

CASE NO. C-11-273812-1 DEPT. NO. XV

## JUDGMENT OF CONVICTION

WHEREAS, on the 30<sup>th</sup> day of August, 2012, Defendant, TIMOTHY SHELBURN, ADJUDGED GUILTY of SECURITIES FRAUD (F). Upon commencing argument, COURT noted, parties are contesting restitution. Accordingly, COURT ORDERED, matter trailed to the end of the Court's calendar to resume at 10:45 AM. Case was recalled later with all parties present as before. Argument by counsel. COURT FURTHER ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers and RESTITUTION in the amount of \$25,000.00 to the victim of the instant offense, \$2,000.00 investigative fees to the office of the Secretary of State, \$500.00 prosecution costs to the office Attorney General, Defendant SENTENCED to a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS and a MINIMUM of THIRTY SIX (36) MONTHS in the Nevada Department of

RECENTED SEP 27 2012 REGROPHECOURT

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Corrections (NDC); SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. CONDITIONS: 1) Pay restitution of \$25,000.00 to the victim of the instant offense; 2) Pay \$2,000.00 in investigative fees to the office of the Secretary of State; 3) Pay \$500.00 prosecution costs to the office of the Attorney General; 4) Pay \$150.00 DNA fee to the Clark County Clerk and submit to DNA testing; 5) Disclose this conviction to present and potential employers as well as investor(s); 6) Disclose full and complete financial information to the Division of Parole and Probation (P & P) and the Attorney General (A.G.); 7) Sign a Civil Confession of Judgment for any balance owed on restitution at the end of the term of probation (5 years). BOND EXONERATED and CASE CLOSED. Court directed the Defendant to report to the Division of Parole and Probation (P & P) within forty-eight hours of his release or a bench warrant will issue.

WHEREAS, thereafter on the 30th day of August, 2012, the Defendant, TIMOTHY SHELBURN being present with his counsel, Patricia M. Erickson, Esq. and Adam L. Woodrum, Deputy Attorney General being present for the State, the above entitled Court did adjudge the Defendant Guilty to the crime of SECURITIES FRAUD, (A Category "B" Felony in violation of NRS 90.570(2)).

THEREFORE, the clerk of the above-entitled court is directed to enter this Judgment of Conviction as part of the record of the above-entitled matter.

DISTRICT COURT LUDGE

Abbi Silver

Respectfully submitted by:

CATHERINE CORTEZ MASTO

Attorney General

ADAM L. WOODRUM

Deputy Attorney General Nevada Bar No. 10284

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